

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JULIO CESAR ANGULO,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 83112-COA

FILED

JAN 20 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Julio Cesar Angulo appeals from an order of the district court denying a “motion to vacate illegal sentence” filed on May 26, 2021. Eighth Judicial District Court, Clark County; Bitia Yeager, Judge.

Angulo claimed his sentence was based on a mistaken assumption that worked against him because the manner in which he was returned to Nevada from California was improper. “[A] motion to modify a sentence is limited in scope to sentences based on mistaken assumptions about a defendant’s criminal record which work to the defendant’s extreme detriment.” *Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). A motion to correct an illegal sentence may only challenge the facial legality of the sentence: either the district court was without jurisdiction to impose a sentence or the sentence was imposed in excess of the statutory maximum. *Id.*

Without considering the merits of Angulo’s claim, we conclude it falls outside the narrow scope of claims permissible in a motion to modify

or correct an illegal sentence. Therefore, we conclude the district court did not err by denying Angulo's motion, and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Bita Yeager, District Judge
Julio Cesar Angulo
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk